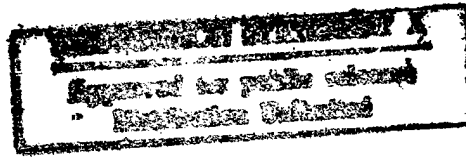


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31 August 1982



Worldwide Report

LAW OF THE SEA

No. 207

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31 August 1982

WORLDWIDE REPORT

LAW OF THE SEA

No. 207

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NEW ZEALAND WATERS UNECONOMICAL FOR FOREIGN FISHERMEN

Auckland THE NEW ZEALAND HERALD in English 14 Jul 82 p 10

[Text]

New Zealand waters are proving too rough and uneconomic for foreign fishermen, many of whom have taken less than half their finfish trawl allocations.

Last season Russian boats took just 31 per cent of their 32,500-tonne allocation; Japanese boats, 39 per cent of 76,000-tonnes; and South Korea, 68 per cent of 2300-tonnes.

Even joint ventures failed to take full advantage of their allocations. They took 72 per cent of the 166,800 tonnes allocated.

The deputy director of the Ministry of Agriculture and Fisheries research division, Dr Adrian Coleman, said the reasons were basically economic and geographic.

The total licensed and joint-venture foreign catch for the season ended March 31 was 115,028 tonnes. This was 19,858 tonnes below the previous year's catch.

Dr Coleman said the imposition of a quota on orange

roughy by the ministry last year caused joint-venture catches to drop from 90,118 tonnes in 1980 to 82,983 tonnes last season.

Joint-venture boats caught 21,632 tonnes of orange roughy, 16,953 tonnes of oreo dory, 14,587 tonnes of hoki and 10,117 tonnes of barracouta.

They were by far the largest and most attractive catches, Dr Coleman said.

Most foreign licensed boats were restricted to area "E," virtually the 200-mile zone surrounding the Campbell, Auckland, Bounty and Antipodes islands.

"The conditions are bad in that area," Dr Campbell said. "There are always big seas and bad weather, and you need big boats to fish there."

Japanese

Southern blue whiting was the biggest catch taken from the chilly waters. Barracouta and some hoki were also caught.

Foreign fishermen could have put more boats in to increase their effort but had apparently decided against it

for economic reasons, he said.

Only the Japanese appeared to be keen to develop those waters. "They have about six boats here and are looking at squid, fin fish such as blue whiting and hoki."

The Japanese were also likely to be involved in more research next year. The big stern trawler Shinkai Maru was due in February and March to fish over the Campbell plateau and the Bounty and Chatham rises.

System

The ministry's latest catch returns are not entirely unexpected. Its policy has been to reserve the most attractive and economic fishing grounds for the domestic fleet and to apportion the next attractive areas to joint ventures which can be fully localised later.

This policy means that foreign licensed boats get the least attractive areas and least attractive species to catch.

The system is adopted by most countries with 200-mile economic management zones.

CSO: 5200/9101

INTER-ASIAN AFFAIRS

'VODK' REJECTS PRK TERRITORIAL WATERS AGREEMENT

BK140751 (Clandestine) Voice of Democratic Kampuchea in Cambodian to Kampuchea
2330 GMT 13 Aug 82

[Unattributed article: "The Kampuchean People and Democratic Kampuchea Refuse To Recognize, and Regard As Null and Void, All Agreements and Prolamations by the Aggressor Vietnamese Regime in Phnom Penh Regarding the Limits of Kampuchea's Territorial Waters"]

[Text] It was learned that last July the Vietnamese running-dog puppets in Phnom Penh signed an agreement with the Hanoi Vietnamese aggressors demarcating sea boundaries between Kampuchea and Vietnam, and proclaimed the limits of Kampuchea's territorial waters and exclusive economic zone.

The Vietnamese running-dog Heng Samrin regime in Phnom Penh is a Vietnamese aggressor regime installed at bayonet point by the Vietnamese Le Duan aggressors. These Phnom Penh puppets are completely ignorant; all affairs of the country are managed by the Vietnamese. Moreover, this Vietnamese running-dog puppet regime has been spat at and rejected by the Kampuchean people since it was first conceived and established.

Therefore, both legally and in practice, the Vietnamese running-dog regime in Phnom Penh is simply and merely an administration of the Vietnamese aggressors and does not represent the Kampuchean nation and people in the least. It is only a shield to cover up Vietnam's invasion and occupation of Kampuchean territory and slaughter of the Kampuchean people in its attempt to exterminate the Kampuchea race.

In the international arena, at the United Nations as well as in all international forums, no one recognizes this Vietnamese aggressor regime in Phnom Penh as the representative of Kampuchea.

In other words, both the Kampuchean nation and the international community, including the United Nations and other international organizations, have rejected this Vietnamese administration in Phnom Penh. This Phnom Penh administration has no right to represent the Kampuchean nation and people. For this reason, it does not have any right to sign international agreements or other documents between Kampuchea and other countries. Hence, all agreements that the puppet Heng Samrin gang has signed with Vietnam to limit the Kampuchea-Vietnam sea boundaries as well as the other agreements and treaties already signed by the puppet Heng Samrin gang are of no value whatsoever. Its proclamation on the demarcation of Kampuchea's territorial waters and maritime exclusive economic zone is also of no value.

All of this is a device to allow Vietnam to occupy Kampuchea's territorial waters and plunder Kampuchea's natural resources in the sea and on the seabed, such as petroleum. It is

also part of the maneuver to force Kampuchea's neighbors, particularly Thailand, to accept the Vietnamese running-dog puppets and Vietnamese administration in Phnom Penh as a negotiating partner.

The Kampuchean people and Democratic Kampuchea, which is the sole legal and legitimate government of Kampuchea representing Kampuchea both at home and in the international arena, have repeatedly rejected and regarded as null and void all these agreements and proclamations of the Vietnamese administration in Phnom Penh. They appeal to all countries and all foreign companies and enterprises to refrain from making any deals with the Vietnamese running-dog puppets in Phnom Penh, for the Kampuchean people refuse to recognize them and regard them as null and void now and in the future.

CSO: 5200/2112

MINING EXECUTIVE DISCUSSES DRAWBACKS IN LAW OF SEA TREATY

Melbourne THE AGE in English 21 Jun 82 p 24

[Text]

SYDNEY. — The seabed mining provisions of the new international law of the sea convention could leave Australian mining companies without protection from foreign competitors, an executive of the Western Mining Corporation said at the weekend.

The company's corporate affairs manager, Mr John Reynolds, said the competition was most likely to come from companies sponsored by foreign governments.

The convention, which was signed by Australia in New York last month, could distort the world's mineral markets, he said.

The convention, which was agreed upon after six years of negotiations, has not been signed by the United States, although 130 other countries have agreed to it.

Mr Reynolds, the mining industry's adviser to the Australian Government during the international negotiations to draft the convention, said the industry welcomed the idea of a treaty to regulate seabed mining, but not one in the form finalised in New York and agreed to by the Australian Government.

Mr Reynolds said that mining of manganese, copper, nickel and cobalt from seabed nodules was not economic at present. It might be 10 or 20 years before it was.

The regulations in the new convention governing transfer of technology and of surplus earnings to developing countries made it even more uneconomic, but governments might be encouraged to mine where private miners would not, regardless of economic considerations, partly because of the convention.

Mr Reynolds said some Governments might press on with seabed mining to enhance their national prestige, to capture resources they lacked, to gain access to strategic minerals and so pre-empt such access by a rival Government, or to establish a presence in certain parts of the ocean.

He said both France and Japan had voted for the new convention.

Mr Reynolds said the convention envisaged the United States bearing a large part of the cost of the international machinery to transfer technology and surplus funds from seabed mining to developing countries.

Yet the development of seabed mining, especially if it is for non-economic reasons, would affect the competitive position of us mining companies. It was not surprising that the US did not support it, he said.

CSO: 5200/7549

NORTHERN TERRITORY, CANBERRA IN ROW OVER COASTAL CONTROL

Canberra THE AUSTRALIAN in English 25 Jun 82 p 23

[Excerpt]

THE Territory's fishing industry plans expansion on three different fronts: by gaining a bigger share of the catch taken of its own coast; by using overseas techniques to catch exotic tropical fish for southern restaurant tables; and by developing a game-fishing industry to take advantage of bill fish prevalent in northern waters

ONE of the most serious conflicts between the Northern Territory and the Federal Government will be discussed at a meeting in August.

It is the issue of territory control of its coastal fishing grounds. Eighty per cent of the coastline is controlled by the Northern Fishery Committee (NFC), made up of representatives from Western Australia, Queensland, the Territory and the Commonwealth.

The Minister for Primary Production, Mr Steele, said Queensland and Western Australia had their own prawning grounds — and most of the Territory's as well.

But the Territory was determined to get a bigger share of the grounds and eventually to gain control over its own fishery.

The August meeting of the NFC will deal in particular with the Territory's demand to establish the Fog Bay grounds as a limited fishing area to protect local prawn fishermen from interstate and foreign prawning vessels.

ECONOMIC

The Territory also wants closed seasons in Fog Bay extended to include a nursery area and the introduction of gear restrictions in the entire area.

The Australian Fisheries Council, which meets in October, will consider the recommendations of the NFC's August meeting. If the NFC refuses to accept the Territory's recommendations, Mr Steel has threatened to take the issue to a "higher level", particularly in relation to Fog Bay.

"We believe strongly that Fog Bay should eventually be declared a limited entry fishery," he said. "We cannot accept Territory fishermen being disadvantaged in waters off our coast."

"From the Territory's point of view, there are very strong economic reasons to support the excision of the Fog Bay area from the declared management zone of the northern prawn fishery for the purposes of separate management."

"Obviously Queensland and Western Australia would see the issue in a different light. They control their own rich fishing grounds in other parts of their States and are quite

happy to have rights in waters off the Territory as well.

"Territory fishermen have only a small area to fish and have to compete with big interstate trawlers who come in and rape our prawning grounds.

"Our case is clear and we will be presenting this strongly at the August meeting. We will also ask our competitors to show why their locust type of fishing operations should be allowed to continue in waters off the Territory.

"Surely the low stocks of prawns in Fog Bay are ample evidence that the grounds are being over-fished at the moment."

Meanwhile, a Northern Territory Government-sponsored developmental fishing program could put tropical reef fish on the menu of many of Australia's best restaurants.

While most seafood lovers have sampled snapper and perch common to Australia's eastern seaboard, very few Australians will have had the opportunity to eat the varieties of reef fish caught in the Timor and Arafura seas.

A Japanese dropline fishing vessel, operating in waters off the Territory coast, has made the reef fish a popular commodity with Darwin-based buyers and their Japanese counterparts.

The success of a joint Australian-Japanese dropline fish-

ing feasibility study prompted the Government in Darwin to allocate \$50,000 to developmental fishing projects, including dropline fishing.

The adaption of the fishing technique by local fishermen is being developed by the fisheries division of the Department of Primary Production in conjunction with the owner of a Territory-based fishing vessel, the 21m Rachel.

By Japanese standards, the Rachel is small, but there have already been indications that larger vessels will be converted to dropline fishing.

The Rachel's crew and fisheries officers have had some uncomfortable moments in the rough conditions northwest of Darwin. The dropline machine's 80kg main line with up to 10 branch lines attached tends to tangle badly in rough weather and processing aboard can be very hazardous, if not nearly impossible.

If for no other reason, it seems likely that Australian fishermen will be following the example of the Japanese and freezing the fish whole to ensure maximum fishing time and a quality product.

While there is still a considerable amount of work to be done, the impressive Japanese catches indicate a bright future for local dropline fishermen, providing that buyers will accept whole fish.

AUSTRALIA SAID TO LAG IN JOINING PACTS ON SAFETY AT SEA

Canberra THE AUSTRALIAN in English 1 Jul 82 p 15

[Article by Captain Vic Sanderson]

[Text]

THE Australian Government is lagging badly in ratifying a long list of international conventions and treaty instruments designed to promote new international standards of safety at sea.

In fact, it is so far out of step with other developed nations that it looks like falling into bed with the USSR as one of the few nations whose ships cannot be legally inspected in leading world ports.

The operation of ships by shipping companies and the actual working of the ships in port and at sea by the personnel afloat is governed by national and international regulations, conventions and treaty instruments.

International conventions and treaty instruments have, since it began operation in 1959, been the prerogative of IMCO, renamed as from May 22 the International Maritime Organisation.

IMO has been instrumental in the preparation and adoption of 28 international conventions or other treaty instruments. It has also been assigned responsibility for the administration of three other treaty instruments under its auspices.

Out of these 31 treaty instruments in respect of which IMO exercises responsibilities of various kinds, 21 are either in force or have fulfilled the requirements for entry into force.

Of the remaining 10, two

are protocols to revise units of account provision in the earlier parent conventions.

Therefore only eight conventions or treaties dealing with substantive matters have not yet received the ratification required for entry into force.

It is universally accepted that the only hope of achieving and sustaining the desired level of safety at sea and pollution prevention is through the global and effective application of international standards.

Thus the conventions and regulations adopted by or under the auspices of IMO constitute the indispensable core of the international regulatory regime in this field.

The governing organs and 121 member States of IMO, of which Australia is one, have repeatedly declared their commitment to promoting the widest and most effective possible implementation of these international treaties.

Coming to Australia's role concerning these important international instruments, we encounter a peculiar anachronism. Australia is not among the 70 of the 121 IMO members who have ratified one or more important conventions and instruments now in force.

Australia has only signed the International Convention on Tonnage Measurement of Ships, 1969, which is not yet in force, but is expected to enter into force this year.

In respect of pollution of the sea by oil, Australia initiated and signed the 1971 Great Barrier Reef Amendments and also signed the 1971 Tanks Amendments.

Neither of these amendments is yet in force.

The result is that Australia is still a totally non-convention country. This has already presented international anomalies and could lead to many more complications.

For example, to name but one anomaly, Australia still not having ratified the first three conventions and the protocol dealing with safety of life at sea, the Department of Transport and Construction cannot issue safety certificates, safety equipment certificates or safety radio certificates to vessels of the 53 countries which have ratified the conventions and the protocol.

Now a new interesting development has arisen through the so-called Paris memorandum, signed in January by ministers of 14 European countries. It takes effect today.

The Paris memorandum provides for the uniform enforcement of a number of IMO treaties, together with International Labor Organisation Convention No 147.

The members hope co-or-

dated action in European ports will rid them of sub-standard ships, since the Paris memorandum includes a numerical target for ship inspections that could prove highly effective if member States carry out their stated intentions to the letter.

But the Russians, who are strong supporters of IMO, have already told IMO their maritime authorities will recommend that masters of Russian ships protest against attempts to enforce the new measures on the ground that Soviet ships are subject to control in foreign ports only in accordance with the provisions of international conventions to which the USSR is party, and reserve the right to call a debate on whether the Paris memorandum is compatible with IMO.

This development highlights several tricky questions regarding the rights of port States to demand compliance with conventions in cases where the flag States involved are non-contracting parties.

If the forthcoming debate rules in favor of the Russian argument, then no Australian ships in Europe could be inspected by port States, because Australia is a non-contracting party to any IMO treaties in force.

CSO: 5200/7551

AUSTRALIA

BRIEFS

DUNTROON BASIN OIL SEARCH--A big US oil exploration company, Getty Oil Development, will lead a consortium spending \$40 million over the next six years on exploration in the Duntroon Basin, west of Kangaroo Island. The Minister for National Development and Energy, Senator Sir John Carrick, said yesterday that the consortium planned to drill a minimum of four exploration wells and conduct 4000 kilometres of seismic study over the 23,343 square-kilometre basin. There are now five exploration permits operating off the South Australian coast. Getty's partners in the new consortium are: Ampol Exploration, Natomas Petroleum International and Sovereign Oil Australia. [Melbourne THE AGE in English 30 Jun 82 p 22]

OCEANIC RESEARCH BODY--SYDNEY University is to join forces with the Department of Defence to establish an ocean sciences institute. The institute, to be set up at the university, will involve members of the department of geology and geophysics including the department head, Professor Graham Philip, Associate Professor Gordon Packham and Dr David Falvey. Both parties are especially concerned with research into the continental slope around Australia. The setting up of the institute will enable them to share costs and give the university researchers access to navy research voyages. The research to be carried out will be of a purely scientific nature. For example, evidence will be sought to support theories that changes in the earth's crusts caused Australia, Antarctica and New Zealand to drift into their present positions. [Canberra THE AUSTRALIAN in English 7 Jul 82 p 13]

CSO: 5200/7551

COUNCIL OF STATE ISSUES DECREE ON TERRITORIAL WATERS

BK081211 Phnom Penh SPK in French 0404 GMT 8 Aug 82

[Text] Phnom Penh, 8 Aug (SPK) -- The Council of State of the PRK has just promulgated a decree on the limits of the PRK's maritime zones and continental shelf.

The full text of the decree, signed on 31 July by Chairman of the Council of State Heng Samrin, reads:

The chairman of the Council of State, considering that the PRK has full sovereignty and inviolable rights over its territorial waters and its continental shelf;
Considering that the PRK must watch over its sovereignty, security and national defense toward the sea and ensure the best exploitation of natural resources in its territorial waters and continental shelf in order to serve the national defense and reconstruction efforts and the improvement of the people's living standards;
Considering the Constitution of the PRK;
And the Council of Ministers having been informed;
Has decreed the following:

Article 1

The full and entire sovereignty of the PRK extends beyond its territory and internal waters to a maritime zone adjacent to its coasts and its internal waters, designated by the name of the territorial waters of the PRK.

This sovereignty also extends to the airspace above the territorial waters of the PRK as well as to the seabed and subsoil of these waters.

Article 2

The width of the territorial waters of the PRK is 12 nautical miles (1 nautical mile equaling 1,852 meters) measured from straight baselines, linking the points of the coast and the furthest points of Kampuchea's furthest islands; these baselines are traced along the low-water mark.

These straight baselines are concretely defined in Annex 1 of this decree.

The internal waters of the PRK are the waters located between the baseline of the territorial waters and the coasts of Kampuchea.

Article 3

The outer limit of the territorial waters of the PRK is a line each point of which is at a distance equal to the width of the territorial waters from the closest point of the baseline.

In the maritime zone between Kach Kut Island and the terminus of the land border between Kampuchea and Thailand, the limit of the territorial water of the PRK follows the dividing line of the maritime waters determined by the historic border stipulated in the Franco-Siamese treaty of 23 March 1907.

Article 4

The contiguous zone of the PRK is a maritime zone located beyond and adjacent to its territorial waters, with a width of 12 nautical miles measured from the outer limit of the territorial waters of the PRK.

In its contiguous zone, the PRK exercises necessary control in order to oversee its security and to prevent and check violations of its customs, fiscal, health and emigration and immigration laws.

Article 5

The exclusive economic zone of the PRK is a maritime zone located beyond its territorial waters and adjacent to the latter. This zone extends to 200 nautical miles measured from the baseline used to measure the width of the territorial waters of the PRK.

The PRK has sovereign rights over the exploration and exploitation and the preservation and management of all organic or inorganic natural resources of the seabed, of its subsoil and of the waters above it and over other activities leading to the exploration and exploitation of its exclusive economic zone.

In its exclusive economic zone, the PRK has exclusive jurisdiction regarding the setting up and use of installations, devices and artificial islands and marine research; and has jurisdiction over the preservation of the marine environment and the control of pollution.

Without prior authorization or agreement by the PRK, foreign ships are forbidden to fish or exploit any natural resources in any form, or to undertake scientific research in the exclusive economic zone of the PRK. When they have obtained prior authorization or agreement, they must conform with the laws and regulations of the PRK concerning fishing, the exploitation of other natural resources and scientific research, and with other regulations relating to them decreed by the PRK, and must strictly carry out all obligations provided in the licenses or the contracts.

Article 6

The continental shelf of the PRK comprises the seabed and the subsoil of the submarine areas that extend beyond the territorial waters throughout the natural prolongation of its land territory to a distance of 200 nautical miles from the baseline used to measure the width of the territorial waters of the PRK.

The PRK exercises sovereign rights over its continental shelf for the purposes of exploration, exploitation, preservation and management of its natural resources comprising mineral resources and other inorganic or organic resources belonging to sedentary species living on the continental shelf.

The PRK has the exclusive right to regulate the setting up and use of installations, devices and artificial islands or drilling on its continental shelf for the purposes of exploration, exploitation or any other purpose.

All activities carried out by foreigners on the continental shelf of Kampuchea, for whatever end, must be the object of an authorization or an agreement by the PRK Government and conform with the laws and regulations of the PRK.

Article 7

The PRK will settle, by means of negotiations with interested states, all problems concerning the maritime zones and continental shelf in a fair and logical manner on the basis of mutual respect for sovereignty, independence and territorial integrity.

Article 8

The PRK will negotiate and agree with the SRV on the maritime border in the historic waters zone of the two countries fixed in the agreement on the historic waters of the two countries signed on 7 July 1982 in line with the spirit and letter of the Treaty of Peace, Friendship and Cooperation between the two states signed on 18 February 1979.

Article 9

All provisions contrary to this decree are purely and simply abrogated.

Article 10

The minister of national defense, the minister of interior and the ministers concerned are charged, each in his proper field, with the implementation of this decree.

Annex 1

The Baseline Retained for the Limitation of the Territorial Waters of the PRK

The baseline retained for the limitation of the territorial waters of the PRK is made up of segments of a line passing successively through the following points, the coordinates of which are expressed in degrees, minutes and tenths of a minute, the longitude being counted from the meridian of Greenwich.

Number	Geographical Place	Latitude (North)	Longitude (East)
1	Border point on low-water mark between Thailand and the PRK according to treaty of 23 March 1907	11° 38' 8"	102° 54' 3"
2	Kack Kusrovie	11° 06' 8"	102° 47' 3"
3	Kack Voar	10° 14' 0"	102° 52' 5"
4	Poulo Wai	09° 55' 5"	102° 53' 2"
5	Point 0 out at sea on the southwest limit of the historic waters of the PRK	According to the agreement of 7 July 1982	

CSO: 5200/2112

NEW DEEP-SEA FISHING GROUND DISCOVERED OFF NORTH ISLAND

Auckland THE NEW ZEALAND HERALD in English 17 Jul 82 p 1

[Text] **An important new deep-sea fishing ground has been discovered off the west coast of the North Island which could give new life to Auckland fishing companies.**

The area, over the Challenger Plateau — which straddles the limit of New Zealand's 200-mile fishing zone, west of Cape Egmont — has already given one company its biggest-ever daily catch of orange roughy.

Wanganui Trawlers Ltd, which has had two boats working the area for a few weeks, has been landing up to 200 tonnes of roughy a week from each boat.

The orange roughy is believed to spawn in the region in large numbers from June to August, and the research division of the Ministry of Agriculture and Fisheries is taking great interest because of the commercial potential.

Implications

A Russian joint-venture trawler, the Kalinovo, caught 80 tonnes in one day's fishing, according to the managing director of Sanford Ltd, Mr Neil Mills, who said it was the biggest daily catch taken by the company.

If the fishing ground lives up to its promise it has important implications for Sanfords and other Auckland companies because it may be the nearest deep-water fishing ground to Auckland.

The resource was discovered almost by accident last year when a Polish joint-

venture trawler was working in the area.

More Work

The assistant director of the research division of the ministry, Dr Adrian Coleman, said some roughy was hauled in by the trawler in September and it was apparent the fish had just spawned.

On the strength of that discovery it was decided to send another fisheries scientist, Mr W. Van Denboek, to the area on board a Wanganui Trawlers boat during the spawning season this year.

Mr Van Denboek said the results were certainly encouraging, but that a lot more work had still to be done to gauge the full potential of the resource.

Quota Set

He said the roughy stocks of the Challenger Plateau were unlikely to match those of the Chatham Rise, but it nevertheless promised to be a very useful seasonal fishery.

The ministry established a 6000-tonne catch quota over the plateau because it had no scientific knowledge of the extent of the resource.

Local fishing companies are anxious to determine its full extent so that the quota can be lifted.

BRIEFS

DEEP-SEA FISHING TRAINING--A training scheme designed to give New Zealand fishermen experience of deep-water fishing has been very successful and will continue. The 1981 budget set aside a fund of \$100,000 to promote deep-sea training by employing fishermen as observers on foreign fishing vessels. So far, 11 fishermen have spent three weeks on foreign vessels. They were selected by a panel of Ministry of Agriculture and Fisheries representatives and the Fishing Industry Training Council, who chose people who might one day skipper a deep-sea fishing vessel. A further \$100,000 has been allocated so the scheme can continue for another year. It may be modified to enable fisherman to work on board the vessels instead of just observing. [Text] [Wellington THE EVENING POST in English 12 Jul 82 p 32]

CSO: 5200/9103

'CHINA POST' ON U.S. OPPOSITION TO SEA LAW TREATY

OW310124 Taipei CHINA POST in English 23 Jul 82 p 2

[Editorial: "Law of the Sea Treaty"]

[Text] What is easily the longest negotiated treaty in modern times has finally been signed by all countries except the United States. The Republic of China has a vested interest in the treaty. It covers such things as sovereignty over the waters surrounding Taiwan, ownership of mineral rights, fishing rights and other items.

It is difficult to comprehend why U.S. President Reagan remains opposed to the treaty. The United States has its own fishing rights to protect and control of the waters off its two coasts. Only three other nations voted against the treaty: Israel, Turkey and Venezuela. Another 17 countries, including Great Britain, West Germany and Italy, abstained.

The Reagan administration is opposed to the provisions of the treaty controlling deep seabed mining. The treaty provides for the establishment of an international mining control organization. Mr. Reagan complains the treaty may be amended without U.S. approval. He also charges the treaty would not guarantee mining companies access to the seabeds and would thwart future development of seabed minerals. On the other hand, the developing nations want to prevent the large nations from dominating the seabed mining. Some 130 countries supported this provision.

It is known that the ocean depths abound with valuable minerals, including iron, copper and manganese. What may prove to be even more important is the fact the seabeds abound with new sources of food. Scientists believe that in the future the ocean beds will be able to provide the food for the world's expanding population.

In any event all of these developments are for the future. It will take decades to devise the methods of extracting the sea's mineral wealth. This is why the objections of the United States and other countries seem trivial. The immediate benefits, including water navigation and overflight rights, are more important. The Reagan administration insists the current international laws will protect America's rights.

It is easy to understand why nations which do not have any coastline are eager to share in the potential wealth. They have no concern with navigation and fishing rights.

Mr. Reagan's fears that the treaty will be amended probably are correct. The existing treaty, for example, does not deal effectively with the rights to food from the seabeds. In our judgment, the important fact is that a start has been made in the ambitious effort to develop and share the wealth of the seabeds.

CSO: 5200/2112

INTER-AMERICAN AFFAIRS

DETAILS OF TRINIDAD-TOBAGO, VENEZUELA FISHING AGREEMENT

Port-of-Spain TRINIDAD GUARDIAN in English 17 Jul 82 p 1

[Article by Ed Wynn Brant]

[Text] TRINIDAD and Tobago fishermen who operate small boats can fish without permits in Venezuelan waters, south of Trinidad and north of Patos but not in the special zones.

Venezuelan fishermen, too, now have the same facility in Trinidad's waters--to operate small boats off the north and south coasts.

This agreement was the high note struck by the Trinidad-Tobago/Venezuela Fishing Commission which met in Port of Spain over the past three days.

In a joint interview, Mrs Annette Auguste, Trinidad-Tobago Ambassador to Caracas who led this country's talks, and General Ramon Enrique Mendonza Ibarra, Director General of Frontiers in the Venezuelan Ministry of Foreign Affairs, said that Article 5, Subsection 3 of the fishing agreement between Trinidad-Tobago and Venezuela was ratified.

It allows artesanal (pirogues with nets and other fishing gear) vessels to operate outside the specific zones identified in the treaty in each others territorial waters without permits.

Non-artesanal vessels--the deep sea trawlers such as those owned by the National Fisheries Company--were still prohibited from fishing because of the threat posed to marine environment.

Oceanic Surveys

The Mixed Commission, however, said that scientific and technical surveys were underway to determine the volume of fish in the area and how much could be harvested.

Venezuelan fishermen, mainly from Guiria and Carupano, have eight applications before the Ministry of Agriculture, Lands and Food Production for permits to operate large trawlers off Trinidad's north coast.

Mrs Auguste said that studies would have to be carried out to determine the feasibility of fishing by trawlers; small boats, however, were free to operate in the area.

The Mixed Fishing Commission recommended that the two countries cooperate in managing the resources of the areas under the agreement. Mrs Auguste said that one of the recommendations was that Venezuela share its reports and technical and scientific data with Trinidad-Tobago.

General Mendoza said the Venezuelan Government had contracted French oceanographer Jacques Costeau to carry out oceanic surveys. In the past private and public marine surveys have been carried out by the University Orinete, La Salle Foundation and the Institute of Technology and Petroleum.

He said the surveys are to be broader, taking in more of the region.

Yesterday, the eight-member delegation split in two with General Mendoza holding talks with Mr Kamaladdin Mohammed, Minister of Agriculture, Lands and Food Production.

Other members visited Cedros and held talks with the fishing Association. General Mendoza said he was aware of requests made by Trinidad for more permits for Cedros shrimpers.

A survey would be carried out to determine how many permits would be required, he said.

The talks were the sixth since the bilateral treaty was signed in Port-of-Spain in December 1977. General Mendoza said talks should be held at least twice a year to re-evaluate the treaty and study problems arising out its implementation.

The meeting was held at the invitation of the Trinidad-Tobago Government and the next meeting will be held in Caracas. Three representatives from each country are appointed commissioners to oversee the treaty.

CSO: 5200/7550

INTER-AMERICAN AFFAIRS

BRIEFS

CARIBBEAN MARINE MANUAL--PORT-OF-SPAIN, Trinidad, Friday, (CANA)--The London-based Commonwealth Science Council is preparing a marine manual for the Caribbean, with advice on how to survey coastal waters and study the flora, fauna and fish in an effort to exploit marine resources, according to the Trinidad Express newspaper. The publication, expected to be ready by August, will be issued to Commonwealth member nations free of charge. The council's decision to publish the manual came out of the recommendations of a workshop in aquaculture and marine methodology recently held here and attended by regional Commonwealth states. The classes were aimed at training scientists in the study of fish and animals and plants in local waters, so that their potential for food production can be assessed. Trinidadian Dr. Doon Ramasaroop, deputy director of the Trinidad institute is editing the manual, which will also provide practical guidelines on data analysis, and interpretation, simple survey methods and problems as well as constraints associated with methods. The workshop here was the latest in a series of activities mounted by the CSC as part of its regional natural products programme for the Caribbean launched in 1979. [Bridgetown ADVOCATE-NEWS in English 17 Jul 82 p 3]

CSO: 5200/7550

MOZAMBIQUE

BRIEFS

FISHING AGREEMENT WITH PORTUGAL--Maputo, August 9--Portuguese vessels will be allowed to fish for prawns in Mozambican waters next year in return for Portuguese training and technical support for the Mozambican fishing fleet. An agreement signed here at the weekend set the Portuguese prawn quota at 700 tons and kept open the possibility of forming a joint Mozambican-Portuguese fishing company. The agreement is one of several first discussed during the visit of Portuguese Prime Minister Pinto Balsemao to Mozambique in June. Portugal had imported large quantities of Mozambican prawns and other seafood, but since Mozambican independence in 1975, these goods have had to be bought through other countries having fishing agreements with the African state, such as Spain, the Soviet Union and Japan. (A.F.P.) [Text] [Paris AFRICA AFP in English 10 Aug 82 p 19]

CSO: 5200/5674

BRIEFS

SWEDISH FISHERMEN FINED BY NORWAY--Swedish fishermen are bitter over what they say is a tyrannical act against the fishing boats "Timor" and "Vingaborg." The police in Kristiansand have now obtained guarantees that the fines totaling 140,000 kroner will be paid. But the skippers have refused to acknowledge the fines, and so preparations are being made for a trial in Kristiansand in November. Björn Lindblad of the Swedish National fishermen's Association has protested strongly to the Ministry of Foreign Affairs against the action taken. "We are protesting against the brusqueness of the Norwegian action," Lindblad told NTB. "The boats had a right to be in Norwegian fishing waters. For that reason the Coast Guard's conduct is remarkable." He points out that the Coast Guard fired several warning shots before the Swedish boats stopped. Karl Henrik Sjørnsen, desk sergeant at the police office in Kristiansand, says that according to his information the Swedish vessels had a concession to fish for herring in the part of the Skagerrak that is open to a limited herring fishing. The Swedes for their part insist that there were no fish on board when the vessels were boarded by the Coast Guard. The fines were imposed because the skippers tried to avoid a check on the catch and the equipment. [Text] [Oslo AFTENPOSTEN 27 Jul 82 p 4] 8815

GREENLAND RAISES NORWEGIANS' FINES--The Norwegian shrimp trawlers "Peder Aarseth," "Jan Mayen," and "Hærøyværing" have been fined from 50,000 to 150,000 kroner by the authorities in Greenland for incorrect reporting of their catches. The Fishing Boat Owners' Association is reacting to the fines, which the organization considers too heavy. "It is regrettable, of course, that Norwegian fishing boats have been seized for incorrect reporting, but imposing fines of between 50,000 and 150,000 kroner is going too far," says Ola Solbjørg, secretary general of the Fishing Boat Owners' Association. Solbjørg says that these fines indicate that inspection off Greenland has been intensified, but rejects the idea that the authorities in Greenland are consciously trying to make conditions difficult for Norwegian shrimp trawlers. "The intensified inspection is partly occasioned by rumors that big factory trawlers were catching cod and representing their catches as rosefish," Solbjørg told NTB. The biggest fine, 150,000 kroner, was imposed on the trawler "Peder Aarseth" of Ålesund, while the "Jan Mayen" of Herøy drew 50,000 kroner and the trawler "Hærøyværing" of Ålesund 80,000 kroner in fines for having reported to small a catch. There are 20 Norwegian vessels in all engaged in shrimp fishing off Greenland on a concession basis. The boats have quotas of between 30 and 10 tons, depending on the size of the boats, Secretary General Solbjørg explained to AFTENPOSTEN. Most of the shrimp fishing is done off West Greenland, where the Norwegian trawlers have a quota of only 850 tons of shrimp. On the east coast of Greenland the Norwegian fishermen have a quota of 1,750 tons in all, but water and weather conditions have made conditions so difficult that it has not been possible to fill the quota thus far. [Text] [Oslo AFTENPOSTEN 27 Jul 82 p 4] 8815

FISHERIES MINISTER UNDER ATTACK FOR HANDLING OF EC QUOTAS

Fishermen: 'Hjortnaes Selling Out'

Copenhagen BERLINGSKE TIDENDE in Danish 6 Jul 82 Sect III p 3

[Article by Ib Christiansen]

[Text] The Danish Fishing Industry and Export Association is surprised and shocked that Fishery Minister Karl Hjortnaes has proposed to the other EC countries fish requirements that are considerably less than the quotas which the industry regards as absolutely essential to maintain employment and to avoid reductions in production.

The Danish Fishing Industry and Export Association desires a quota of 40,000 tons of mackerel, but Karl Hjortnaes argued for a quota of only 25,000 before the meeting of the council of ministers at Brussels. And while the industry regards 40,000 tons of herring as necessary, Hjortnaes has set the quota for that variety at only 15,000 tons.

Director Poul Tarring of the Danish Fishing Industry and Export Association says that the organization continues to believe in the assurances of the minister that he will only accept an agreement with which the fishermen and industry are satisfied. On the other hand, however, there is in the industry a declining confidence in the competence of the minister when negotiations are renewed under Danish chairmanship.

Sources in the industry indicated to BERLINGSKE strong dissatisfaction that the minister's demand was revealed to the public and the other ministers of fisheries before the negotiations. Karl Hjortnaes said yesterday that he did not understand the fear of the industry fishing organizations that he was about to sell out Danish interests.

The EC Commission has now made a compromise proposal with an increase in the total catch, including, among others, an increase in the mackerel quota from 101,000 tons to 375,000 even if that figure is far too high, according to the biologists. Karl Hjortnaes is not of the opinion that the compromise proposal will make it any easier to reach a satisfactory result.

Minister Defends Negotiating Stand

Copenhagen BERLINGSKE TIDENDE in Danish 9 Jul 82 Sect II p a

[Article by Ib Christensen]

[Text] Fishery Minister Karl Hjortnaes does not believe that the fishermen on Laeso are right in maintaining that a new EC directive increasing the mesh size from 53 to 60 millimeters will devastate most of the Kattegat island's lobster fishing operation and industrial production with an export value of 40 million kroner.

The island's fishermen are refusing to follow the directive. Karl Hjortnaes granted them dispensation from the new rules a year ago but it has now expired. The fishery minister rules out to BERLINGSKE any question of a new dispensation and does not conceal the fact that he regards the fear of the fishermen for an increase in the wastage percent to be strongly exaggerated.

"I have been on Laeso earlier and discussed the matter but I have never regarded the fishermen's argument that it will destroy their lobster fishing particularly convincing. Lobster fishing is carried on in other countries with this mesh size."

"I granted a dispensation from the rules at that time since Sweden had not increased the mesh size. I regarded it as not reasonable to carry it out unilaterally. Sweden has now done so as a result of a treaty with the EC, and that means that the fishermen who operate in the Swedish zone must abide by the Swedish regulations regarding the mesh size. As I understand it, a significant portion of the lobster fishing is actually in the Swedish zone."

"Regardless of what I do, the increase has been put into effect, and the Danish lobster fishermen are obliged to abide by it," Karl Hjortnaes says.

The Laeso fishermen will hold an emergency meeting on Saturday to consider the situation. Their chairman, Bent Rulle, from Osterby, says, "Together with fishermen from Skagen and Frederikshavn, we have shown the minister the difference between the two mesh sizes, and Karl Hjortnaes appeared to be very convinced that we are right when he was here."

"To be sure, we can fish with the large mesh, but the percentage of waste will increase. All previous experience shows that," says Bent Rulle, who does not understand how the minister can question the fishermen's criticism. He informs us that many of the Laeso fishermen have obtained the new nets after being threatened with police action by the fishery inspectors.

6893

CSO: 5200/2092

MINISTER REJECTS ATLANTIC FISHERIES WIDENING, CITES EC TALKS

Copenhagen BERLINGSKE TIDENDE in Danish 30 Jul 82 Sec III p 3

[Text] Fisheries Minister Karl Hjortnaes rejected the demand by Danish fishing organizations that herring and ocean fishing be opened up west of Scotland in an effort to save the jobs of 150 fishermen and 1,200 people working in the fishing industry.

These jobs are in jeopardy partly because 6 to 8 big fishing cutters in Hirtshals cannot follow their usual practice of fishing for capelin in the North Atlantic during the next 3 months. The EC Commission has entered into an agreement with Iceland and Norway to ban the hunt after this small industrial fish, but the agreement--which the Icelanders claim is needed to protect the threatened fish population--was arrived at without consulting Danish fishing organizations.

After a meeting yesterday with the Hirtshals fishermen and the Danish Ocean Fisheries Association, Karl Hjortnaes said that continuing the capelin fishing would not in itself save the profitability of the fishing fleet, although such fishing would be a comfort in a very difficult period.

The fishing organizations have proposed that Denmark open up for herring and mackerel fishing in an area west of Scotland instead. There is some basis for this, because the EC fishing agreement has not yet been renewed.

But even though the fishing organizations have a strong argument, namely that such countries as Holland and Great Britain are fishing west of Scotland even though no quotas have been set there, it would be unwise to follow their example, according to Karl Hjortnaes.

He referred to the complicated EC fishing negotiations and said that in this delicate situation, a provocation would be inappropriate.

And just as we regard the fishing in the area by the Dutch and the British as illegal, other countries would regard us the same way, the fisheries minister pointed out.

Thus, no solution is in sight. The cutters can continue to fish for herring in Skagerak, but when this ends on 21 August they must lie idle in

port, at least until the end of September when the EC Commission resumes the fishing negotiations, which have broken down several times.

"We simply must believe that it will be possible to reach an agreement this time," said Karl Hjortnaes.

6578

CSO: 5200/2108

ICELAND

BRIEFS

WHALING BAN PROTEST--Reykjavik--The Icelandic Government will protest the decision by the International Whaling Commission banning all whaling activities from 1986, well-informed sources in Reykjavik said. Nevertheless the authorities in Iceland will take plenty of time to assess the situation. According to the rules of the International Whaling Commission, member nations have 3 months in which to voice their objections to the commission's decisions. A nation protesting is not obliged to comply with the commission's decisions. Even if Iceland does protest, the country will probably suspend all whaling in 1986. On Monday, [26 July] the United States announced that sanctions will be introduced against countries not respecting the ban. In U.S. law it is possible for the United States to implement sanctions against countries which do not comply with international decisions. In 1981 almost 20 percent of total Icelandic exports went to the United States. [NORSK TELEGRAMBYRA Magnus Gudmundsson dispatch] [Text] [PM050927 Oslo AFTENPOSTEN in Norwegian 29 Jul 82 p 4]

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